

1 \_\_\_\_\_ JOINT RESOLUTION NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_

3 (Primary Sponsor)

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA REQUESTING AN INTERIM STUDY ON THE DEPARTMENT OF LABOR AND INDUSTRY'S  
6 PROFESSIONAL LICENSING BOARD STRUCTURE.

7

8 WHEREAS, occupational licensing has emerged as a chief policy issue for state leaders in recent  
9 years; and

10 WHEREAS, licensing boards are commonly tasked with issuing and renewing licenses, overseeing  
11 licensure examinations and continuing education, hiring and managing staff, promulgating rules, and  
12 communicating and conducting outreach to the Legislature and other stakeholders; and

13 WHEREAS, licensing boards can provide legislative input and support during the policymaking process  
14 or they can enact regulatory changes themselves through rulemaking; and

15 WHEREAS, states employ varying designs in the structure and level of autonomy provided for their  
16 licensing boards; and

17 WHEREAS, licensing boards can be largely autonomous and assume most of the functions necessary  
18 to implement licensure laws, or they may exist only in an advisory capacity and the entirety of their functions  
19 may be assumed by the state's umbrella agency staff; and

20 WHEREAS, where more autonomous boards may benefit from efficiency gains and greater  
21 professional expertise, centralized boards may enjoy lower administrative costs, higher levels of coordination,  
22 and the liability protection that is associated with state oversight; and

23 WHEREAS, states commonly use a mix of the above-mentioned polarities for their licensing boards  
24 with the understanding that there are benefits and trade-offs associated with how boards are organized.

25

26 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF  
27 THE STATE OF MONTANA:

28 That the Legislative Council be requested to designate an appropriate interim committee or statutory

1 committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

2 (1) review the current model within the department of labor and industry to develop a comprehensive  
3 understanding of licensing board structure and regulation in the state;

4 (2) review how the current model presents potential challenges or facilitates the ability to implement  
5 policy reform;

6 (3) analyze the various licensing board structures in other states to determine the costs and benefits  
7 of different model structures, including complete autonomy among boards, a centralized structure, or a  
8 combination, to learn and apply strategies from other states; and

9 (4) recommend strategies to structure the licensing boards in order to increase effectiveness,  
10 efficiency, and cost savings.

11 BE IT FURTHER RESOLVED, that the study include input from appropriate stakeholders, including but  
12 not limited to the department of labor and industry and the various professional licensing boards.

13 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be  
14 presented to and reviewed by an appropriate committee designated by the Legislative Council.

15 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review  
16 requirements, be concluded prior to September 15, 2022.

17 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
18 comments, or recommendations of the appropriate committee, be reported to the 68th Legislature.

19 - END -